



Order Filed on September 15, 2023

by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>
<b>Marie-Ann Greenberg MAG-1284 Marie-Ann Greenberg, Standing Trustee 30 TWO BRIDGES ROAD SUITE 330 FAIRFIELD, NJ 07004-1550 973-227-2840 Chapter 13 Standing Trustee</b>
IN RE: CHERUBIN VINCENT

Case No.: 23-10733

Hearing Date: 09/14/2023

Judge: JOHN K. SHERWOOD

**ORDER DENYING CONFIRMATION AND DISMISSING PETITION**

The relief set forth on the following pages, numbered two (2) is hereby ORDERED.

**DATED: September 15,  
2023**

Honorable John K. Sherwood  
United States Bankruptcy Court

Debtor(s): CHERUBIN VINCENT

Case No.: 23-10733JKS

Caption of Order: Order Denying Confirmation and Dismissing Petition

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THIS MATTER having come before the Court on 09/14/2023 for a Confirmation Hearing of the Debtor(s)' Chapter 13 Plan, and the Court having considered the Chapter 13 Standing Trustee's report and good and sufficient cause having been shown, it is hereby

ORDERED AND DIRECTED, that the Confirmation of Debtor(s)' Chapter 13 Plan is hereby denied; and it is further

ORDERED AND DIRECTED, that the Debtor(s)' Voluntary Petition for Relief under Chapter 13 and all proceedings thereunder be and they hereby are dismissed without prejudice; and it is further

ORDERED AND DIRECTED, that upon case dismissal any funds held by the Chapter 13 Standing Trustee from payments made on account of Debtor(s)' Plan, shall be disbursed to the Debtor(s), less any applicable Trustee fees and commissions, except any adequate protection payments due under the proposed plan or by Court Order, and/or any counsel fees and costs hereby allowed as an Administrative Expense.

ORDERED AND DIRECTED, that pursuant to 11 U.S.C. Sec. 349(b) this Court, for cause, retains jurisdiction over any additional application filed within 30 days by any administrative claimants for funds on hand with the Chapter 13 Trustee.

In re:  
CHERUBIN VINCENT  
Debtor

Case No. 23-10733-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Sep 15, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 17, 2023:

Recip ID	Recipient Name and Address
db	+ CHERUBIN VINCENT, 56 Watson Ave, West Orange, NJ 07052-6017

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 17, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 15, 2023 at the address(es) listed below:

Name	Email Address
Anthony Scordo, III	on behalf of Debtor CHERUBIN VINCENT anthonymscordo@msn.com
Denise E. Carlon	on behalf of Creditor M&T Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Eric Raymond Perkins	on behalf of Trustee Eric Raymond Perkins eperkins@becker.legal nj42@ecfcbis.com;tcolumbini@becker.legal;eperkins@becker.legal
Gregory R. Milne	on behalf of Creditor FreshStart Venture Capital Corp. grmilne@fsfm-law.com bdicovitsky@fsfm-law.com
Justin Baumgartner	on behalf of Trustee Eric Raymond Perkins jbaumgartner@becker.legal mambrose@becker.legal
Laura M. Egerman	

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on behalf of Creditor M&T Bank [laura.egerman@mccalla.com](mailto:laura.egerman@mccalla.com) [bkyecf@rasflaw.com](mailto:bkyecf@rasflaw.com); [legerman@raslg.com](mailto:legerman@raslg.com)

Marie-Ann Greenberg

[magecf@magtrustee.com](mailto:magecf@magtrustee.com)

U.S. Trustee

[USTPRegion03.NE.ECF@usdoj.gov](mailto:USTPRegion03.NE.ECF@usdoj.gov)

TOTAL: 8